

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0360-01  
Bill No.: HB 91  
Subject: Employees - Employers; Labor and Management  
Type: Original  
Date: January 6, 2017

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Bill Summary: This proposal specifies that a person cannot be required to become or refrain from becoming a member of or paying dues to a labor organization as a condition or continuation of employment.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 8 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Office of Administration - General Services** *assumes that neither any state agency nor any state employee would violate the proposal. Therefore, it is assumed that no successful claims will be made against the Legal Expense Fund and the proposal would thus have no fiscal impact upon the Office of Administration—General Services. However, should that assumption prove incorrect, significant costs could be incurred by the Legal Expense Fund.*

§290.590 – This proposed legislation would invalidate any requirement that employees join or refrain from joining a labor organization as a condition of employment and would prohibit any required payment of dues, assessments or similar fees to a labor organization or equivalent payments to third parties. Any person who is injured as a result of any violation or threatened violation of this law shall be entitled to injunctive relief against any and all violators or persons threatening violations and may recover any and all damages including costs and reasonable attorney fees.

The state Self-assumes its own liability under the state Legal Expense Fund, Section 105.711 RSMo. It is a self-funding mechanism whereby funds are made available for the payment of any claim or judgment rendered against the state in regard to the waivers of sovereign immunity or against employees and specified and individuals. Investigation, defense, negotiation or settlement of such claims is provided by the Office of the Attorney General. Payment is made by the Commissioner of Administration with the approval of the Attorney General.

If a claim were successfully brought against a state agency or a state employee alleging a violation of this proposal, the Legal Expense Fund could be required to pay such claim or claims.

Officials at the **Office of Administration - Personnel** assume this proposal would have no impact on their organization.

Officials at the **Department of Corrections, Department of Health and Senior Services, Department of Mental Health, and Department of Social Services** each defer to Office of Administration - Personnel for fiscal impact.

Officials at the **Attorney General's Office** assumes that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Office of Administration - Budget and Planning, Office of Administration - Administrative Hearing Commission, Department of Agriculture, State Auditor's Office,**

ASSUMPTION (continued)

**Department of Conservation, Department of Elementary and Secondary Education, Missouri Ethics Commission, Department of Public Safety - Gaming Commission, Governor's Office, Lieutenant Governor's Office, Missouri House of Representatives, Department of Higher Education, Department of Insurance, Financial Institutions and Professional Registration, Joint Committee on Public Employee Retirement, Joint Committee on Administrative Rules, Department of Labor and Industrial Relations, Lottery Commission, Missouri Consolidated Health Care Plan, Missouri State Employees' Retirement System, State Highway Employees Retirement System, Department of Natural Resources, State Public Defender's Office, Office of Prosecution Services, Department of Revenue, Missouri Senate, Office of Secretary of State, Office of State Courts Administrator, Missouri Tax Commission, State Treasurer's Office, Department of Transportation, Department of Public Safety - Capitol Police, Department of Public Safety - Fire Safety Division, Department of Public Safety - Missouri Veterans Commission, Department of Public Safety - Alcohol and Tobacco, and Department of Public Safety - Highway Patrol** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **City of Columbia, City of Excelsior Springs, City of Kansas City** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **Callaway County, Cape County, and St. Louis County** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **Metropolitan Community College, Missouri State University, Missouri Western State University, Northwest Missouri State University, State Technical College of Missouri, Truman State University, University of Central Missouri, and University of Missouri** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the school districts of **Bowling Green R-I, Bronaugh R-VII, Cole County R-I, Eldon R-I, Kansas City, Malta Bend, Middle Grove C-I, Parkway, Pettis County R-XII, St. Elizabeth R-IV, Seymour R-II, Special School District of St. Louis County, Warren County R-III, Wentzville R-IV, West Plains R-VII, and Wright City R-II** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the following cities: Ashland, Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Dardenne Prairie, Des Peres, Florissant, Frontenac, Fulton, Gladstone, Grandview, Harrisonville, Independence, Jefferson City, Joplin, Kearney, Knob Noster, Ladue, Lake Ozark, Lee Summit, Liberty, Louisiana, Maryland Heights, Maryville, Mexico, Monett,

ASSUMPTION (continued)

Neosho, O'Fallon, Pacific, Peculiar, Pineville, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles, St. Joseph, St. Louis, St. Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, Weldon Spring and West Plains did not respond to **Oversight's** request for fiscal impact.

Officials at the following counties: Andrew, Atchison, Audrain, Barry, Bollinger, Boone, Buchanan, Camden, Cape Girardeau, Carroll, Cass, Christian, Clay, Cole, Cooper, DeKalb, Dent, Franklin, Greene, Holt, Jackson, Jefferson, Johnson, Knox, Laclede, Lawrence, Lincoln, Maries, Marion, McDonald, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, Shelby, St. Charles, St. Francois, Taney, Warren, Wayne and Worth did not respond to **Oversight's** request for fiscal impact.

Officials at the following colleges: Crowder, East Central Community College, Harris-Stowe, Jefferson College, Lincoln University, Moberly Area Community College, Missouri Southern State University, Southeast Missouri State University, State Fair Community College, St. Charles Community College, St. Louis Community College, and Three Rivers Community College did not respond to **Oversight's** request for fiscal impact.

Officials at the following school districts: Arcadia Valley R-2, Aurora R-8, Avilla R-13, Bakersfield, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Branson, Brentwood, Campbell R-2, Carrollton R-7, Caruthersville, Cassville R-4, Central R-III, Chilhowee R-4, Chillicothe R-II, Clarkton C-4, Columbia, Concordia R-2, Crawford County R-1, Crocker R-II, Delta C-7, East Carter R-2, East Newton R-6, Everton R-III, Fair Grove, Fair Play, Fayette R-3, Forsyth R-3, Fox C-6, Fredericktown R-I, Fulton, Grain Valley, Hancock Place, Hannibal, Harrisonburg R-8, Harrisonville, Hillsboro R-3, Hollister R-5, Humansville R-4, Hurley R-1, Independence, Jefferson City, Kearney R-1, Kennett #39, King City R-1, Kingston 42, Kirbyville R-VI, Kirksville, Laclede County R-1, Laredo R-7, Lee Summit, Leeton R-10, Lewis County C-1, Lindbergh, Lonedell R-14, Macon County R-1, Macon County R-4, Mehville, Mexico, Midway R-1, Milan C-2, Moberly, Monroe City R-I, Morgan County R-2, New Haven, Nixa, North St. Francois Co. R-1, Northeast Nodaway R-5, Odessa R-VII, Oregon-Howell R-III, Orrick R-11, Osage County R-II, Osborn R-O, Pattonville, Pierce City, Plato R-5, Princeton R-5, Raymore-Peculiar R-III, Raytown, Reeds Springs R-IV, Renick R-5, Richland R-1, Riverview Gardens, Salisbury R-4, Sarcoxie R-2, Scotland County R-I, Sedalia, Shelby County R-4, Shell Knob #78, Sikeston, Silex, Slater, Smithville R-2, Spickard R-II, Springfield, St Joseph, St Louis, St. Charles, Sullivan, Tipton R-6, Valley R-6, Verona R-7, Warrensburg R-6, Webster Groves, and the Westview C-6 School District did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

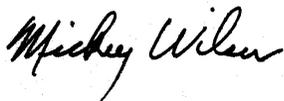
Office of Administration - General Services  
Office of Administration - Personnel  
Department of Corrections  
Department of Health and Senior Services  
Department of Mental Health  
Department of Social Services  
Attorney General's Office  
Office of Administration - Budget and Planning  
Office of Administration - Administrative Hearing Commission  
Department of Agriculture  
State Auditor's Office  
Department of Conservation  
Department of Elementary and Secondary Education  
Missouri Ethics Commission  
Department of Public Safety - Gaming Commission  
Governor's Office

SOURCES OF INFORMATION (continued)

Lieutenant Governor's Office  
Missouri House of Representatives  
Department of Higher Education  
Department of Insurance, Financial Institutions and Professional Registration  
Joint Committee on Public Employee Retirement  
Joint Committee on Administrative Rules  
Department of Labor and Industrial Relations  
Lottery Commission  
Missouri Consolidated Health Care Plan  
Missouri State Employees' Retirement System  
State Highway Employees Retirement System  
Department of Natural Resources  
State Public Defender's Office  
Office of Prosecution Services  
Department of Revenue  
Missouri Senate  
Office of Secretary of State  
Office of State Courts Administrator  
Missouri Tax Commission  
State Treasurer's Office  
Department of Transportation  
Department of Public Safety - Capitol Police  
Department of Public Safety - Fire Safety Division  
Department of Public Safety - Missouri Veterans Commission  
Department of Public Safety - Alcohol and Tobacco  
Department of Public Safety - Highway Patrol  
City of Columbia  
City of Excelsior Springs  
City of Kansas City  
Callaway County  
Cape County  
St. Louis County  
Metropolitan Community College  
Missouri State University  
Missouri Western State University  
Northwest Missouri State University  
State Technical College of Missouri  
Truman State University

SOURCES OF INFORMATION (continued)

University of Central Missouri  
University of Missouri  
School Districts:  
Bowling Green R-I  
Bronaugh R-VII  
Cole County R-I  
Eldon R-I  
Kansas City  
Malta Bend  
Middle Grove C-I  
Parkway  
Pettis County R-XII  
St. Elizabeth R-IV  
Seymour R-II  
Special School District of St. Louis County  
Warren County R-III  
Wentzville R-IV  
West Plains R-VII  
Wright City R-II



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